

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
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IN THE MATTER OF THE PETITION OF )  
EVERCOM SYSTEMS, INC. UNDER )  
IC 8-1-2-76 AND RELATED STATUTES FOR )  
APPROVAL OF ISSUANCE OF SECURED )  
DEBT PURSUANT TO REFINANCING )

CAUSE NO. 42694

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made:

On September 2, 2004, pursuant to 170 IAC 1-1.1-8(c), Evercom Systems, Inc. ("Petitioner" or "Evercom") filed an *Unopposed Motion For Leave To File Amended Petition* ("Motion") in this Cause seeking to amend its original *Verified Petition* by including a number of recent adjustments to its proposed financing transaction. This Cause is presently set for evidentiary hearing on September 9, 2004, at 2:00 p.m. in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana.

170 IAC 1-1.1-8 governs the amendment and supplementation, upon oral or written motion, of petitions and complaints. Pursuant to 170 IAC 1-1.1-8(b), the Commission shall freely grant leave to amend a petition or complaint upon failure of any other party to the proceeding to demonstrate undue prejudice. In the event that the amended or supplemented petition or complaint seeks relief substantially different than that originally requested, the caption of the petition or complaint shall be revised accordingly. Pursuant to 170 IAC 1-1.1-8(c), any party may amend a pleading once as a matter of course at any time before a responsive pleading is served. However, if the pleading is one to which no responsive pleading is permitted and the cause has not yet been set for an evidentiary hearing, the party may amend it at any time within thirty (30) days after it is served. Otherwise, parties may only amend pleadings by leave of the presiding officer or by written consent of the adverse party, and leave shall be given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within twenty (20) days after service of the amended pleading, whichever period may be the longer, unless the presiding officer otherwise orders.

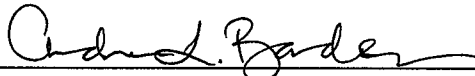
The Presiding Officer, having considered Petitioner's unopposed Motion, hereby finds that Petitioner's Motion is GRANTED in all respects.

IT IS SO ORDERED.

FILED

SEP 07 2004

INDIANA UTILITY  
REGULATORY COMMISSION

  
Andrea L. Brandes, Administrative Law Judge

Date: September 7, 2004